

ATTACHMENT A

Remarks

By this Amendment, independent claims 1 and 8 has been slightly amended for clarity. In addition, a self-evident typographical error in the dependency of claim 2 has been corrected; and minor clarifying additions have been made to claims 9 and 10. Finally, non-elected claims 11-17 have been canceled. It is submitted that the present application is in condition for allowance for the following reasons.

In the *Claim Objections* section of the outstanding Office Action, dependent claim 3 and 4 were objected to as being improper for failure to further limit independent claim 1. In particular, the examiner noted that claim 1 required the plunger to be displaced. However, the language of claim 1 was intended to cover all of the disclosed embodiments, where the plunger is moved relative to the mould components and where the mould components are moved relative to the plunger. Therefore, by this Amendment, claim 1 has been revised to make it clear that there is relative movement, but not to restrict that movement to one or the other (or both) of the plunger and components. As a result, claims 3 and 4 are now consistent with claim 1 and not improper.

In the following *Claim Rejections - 35 USC § 102 & § 103* sections, independent claims 1 and 8 as well as respective dependent claims 2-7 and 9-10 were all rejected as being anticipated by, or obvious over, yyy. However, for the following reasons, it is submitted that claims 1-10 are all allowable over this reference.

In method claim 1, the following (last) step is recited:

reducing the volume of said well by relatively displacing a plunger which bounds the bottom of the well and the mound components thereby to displace mouldable material from said well into said moulding cavity and fill said moulding cavity. [Emphasis added.]

Yamamoto discloses various embodiment is the specification as follows.

- 1) Figures 1 to 6. In this embodiment the lower plunger 6 is initially "sustained" (column 5 lines 19 to 23), meaning it is not moved and then lower plunger 6 moves downwardly deeper into the well (column 7 lines 6 to 21). The lowering rate of the upper plunger 5 is greater than the lowering rate of the lower plunger 6 to effect moulding, but both plungers move downwardly.
- 2) Figures 7 to 10. From lines 54 to 56 in column 8 and figures 8-10, it is clear that here as well the lower plunger 6 moves down.

The embodiments of Figures 15, etc. have the same arrangement of components as Figures 1 to 10 and operate in the same way as the embodiments of Figures 1 to 10.

Thus, 1) and 2) are the two main embodiments disclosed in Yamamoto, and clearly the way in which these embodiments operate is not the same as is claimed in claim 1 for the following reasons.

It will be initially appreciated that in view of the claim language quoted above, it is evident that no embodiment of yyy in which the lower plunger 6 is lowered relative to the mould components is relevant to claim 1, since it is specifically claimed that the relative movement of the plunger and components displaces the mouldable material into the moulding cavity. Such language cannot be met when the lower plunger 6 moves downwardly.

In the Action, the examiner asserts that in one embodiment disclosed in Yamamoto, the upper plunger 5 is fixed and the lower plunger 6 and component 8 are

raised. The discussion in the Yamamoto specification of this action is at column 8, lines 7-11 and is as follows:

Moreover, the plastic stock may be introduced into the die cavity 7a by fixing the upper plunger 5 and raising the lower plunger 6 and die 7 while compressing the plastic stock between the upper plunger 5 and lower plunger 6.

It is respectfully pointed out that if the lower plunger 6 and the lower die 7 move together, there is no question that the volume of the well is not being reduced by any movement of the lower plunger 6 relative to the mould components as claimed. Consequently, the part of claim 1 which is quoted above is not disclosed in Yamamoto. Rather, in yyy according to this setup, moulding results from the movement of the lower plunger and the lower die together relative to the upper plunger, so that the relative effect is that the upper plunger enters the well from above. This is the opposite of claim 1, where the well is defined as forming a downward extension of the moulding cavity formed by the two components, and that the volume of the well is reduced by displacement of the plunger 6 into the well so that material flows from the well into the moulding cavity.

It is not possible to find this claimed feature in the Yamamoto disclosure. The essence of the present invention as defined in claim 1 is that the moulding cavity is closed as the mould components move into contact with one another, and thereafter the plunger 6 is used to reduce the well volume and force material into the mould cavity. This is not how Yamamoto's structure operates. Yamamoto uses a squeezing action on the plastic material, with the end surfaces of the plungers 5 and 6 exerting the necessary force.

In summary then, Yamamoto does not disclose the concept of dropping a charge into a well and then, after the mould is closed, using a plunger to force material from the well and into the mould cavity above.

Independent apparatus claim 8 is distinguishable from Yamamoto in the same way as discussed above for method claim 1. In that regard, specific attention is directed to the following recitations in claim 8:

... a lower part of said space being in the form of a well,
means for displacing said mould components and said plunger relatively to one another thereby to reduce the volume of the well and displace the mouldable material out of said well and into said moulding cavity.

As explained above, Yamamoto does not disclose a well as claimed, nor does Yamamoto disclose the concept of forcing material out of the well and into the moulding cavity by means of a plunger which forms the bottom of the well.

Therefore, for all of the foregoing reasons, it is submitted that independent claims 1 and 8 are neither disclosed nor made obvious by Yamamoto so that claims 1 and 8 are allowable. For these same reasons, it is submitted that claims 2-7 dependent from claim 1 and claims 9-10 dependent from claim 8 are likewise allowable.

For all of the foregoing reasons, it is submitted that the present application is in condition for allowance and such action is solicited.